

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

WILLIAM BURCH,	)	Case No. CV 18-5899-FMO (JPR)
	)	
Petitioner,	)	
	)	ORDER ACCEPTING FINDINGS AND
v.	)	RECOMMENDATIONS OF U.S.
	)	MAGISTRATE JUDGE
DAVID HOLBROOK, Warden,	)	
	)	
Respondent.	)	
	)	

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Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Petition, records on file, and Report and Recommendation of U.S. Magistrate Judge. On May 19, 2021, Petitioner filed objections to the R. & R. through counsel.

Petitioner does not point to any alleged errors committed by the Magistrate Judge. To the contrary, he continues to rehash the incorrect legal arguments he raised in the FAP and his Reply despite the Magistrate Judge's having pointed out to him why they were wrong. (Compare, e.g., Objs. at 22, 28, 31 (continuing to argue that harmless-error review is under Chapman v. California, 386 U.S. 18 (1967)), with R. & R. at 14 n.7 (explaining that Brecht v. Abrahamson, 507 U.S. 619, 623 (1993), not Chapman, is

1 the correct standard), and Objs. at 18-19 (arguing that charged  
2 offenses did not fall within "same class of crimes" under state  
3 law), with R. & R. at 18-19 (explaining that federal habeas court  
4 is bound by state-court determinations on state law).)

5 Having reviewed de novo those portions of the R. & R. to  
6 which Petitioner objected, the Court accepts the findings and  
7 recommendations of the Magistrate Judge. It therefore is ORDERED  
8 that the FAP's remaining claims are DENIED and this action is  
9 dismissed with prejudice.

10  
11 DATED: June 10, 2021

/s/

FERNANDO M. OLGUIN  
U.S. DISTRICT JUDGE